

Notice of Allowability

Application No.

09/803,001

Examiner

Ronald D Hartman Jr.

Applicant(s)

HUDSON ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 1/4/2005.
2. ☒ The allowed claim(s) is/are 1-17,22-38,42-44,47-48,50-52,55-56 and 61 (renumbered as 1-45).
3. ☒ The drawings filed on 04 January 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/2/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. Claims 1-17, 22-38, 42-44, 47-48, 50-52, 55-56 and 61 are presented for further examination with claims 18-21, 39-41, 45-46, 49, 53-54, 57-60 and 62-69 being canceled.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The changes reflected below were authorized by Richard Elias, the attorney of record for instant application, on Tuesday March 29, 2005.

The application has been amended as follows:

Claim 2, line 2, delete "control".

Allowable Subject Matter

3. Claims 1-17, 22-38, 42-44, 47-48, 50-52, 55-56 and 61 allowed.

As per claims 1-17, 22-38, 42-44, 47-48, 50-52, 55-56 and 61, specifically independent claims 1, 5, 10, 22, 26, 31, 47 and 55, the claims are believed to be allowable over the prior art of record for at least the same reasons as set forth in the previous office action mailed on 10/04/2004; that is, the prior art of record fails to teach a method for controlling actuators of a smart camera system, wherein errors are checked for at least twice during a time interval, wherein the smart camera maintains an in-page data block containing a set of desired control state from the host computer and an out-page data block containing the current state of all variables maintained with the smart camera module, and wherein at least two error checks include a checksum on data integrity of the in-page data block and the out-page data block and a recirculating

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message sequence number used to verify message order integrity, in combination with the other claimed features and or limitations as claimed by the claimed invention.

Response to Arguments

4. Applicants arguments filed on 1/4/2005 have been fully considered and in light of the changes made via the amendment concurrently filed on 1/4/2005, the claim objections of claims 2, 43 and 51 have been withdrawn. It is also noted that although the Examiner does not agree with the applicant that the instant claimed invention should be entitled the earlier filing date of 60/188,562, it is an issue that is no longer material to patentability since the claims are deemed to be in condition for allowance irrespective of the actual filing date afforded the instant claims.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D Hartman Jr. whose telephone number is (571) 272 - 3684. The examiner can normally be reached on Mon. - Fri., 11:30 am - 8:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached at (571) 272 - 3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Patent Examiner
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